

## **REGISTER OF CLASSIFICATION DECISIONS**

Date of entry in Register: 05 May 2000  
Name of applicant/court: The District Court at Waitakere  
Applicant to the Labelling Body: Not Applicable  
Title of Publication: Fdsamp02.jpg  
Other Known Titles: Not Stated  
Director: Not Applicable  
Producer: Not Applicable  
Publisher: Not Applicable  
Author: Not Applicable  
Format: Computer Image File  
Country of Origin: Not Applicable  
Language: Not Applicable

**Components of film originally examined:** Not Applicable.

Feature: Running time:  
Trailers: Running time:  
Total Running time:

Excision/Alteration: Not Applicable.

#### Reason(s) for Excision:

Not Applicable.

Classification Decision:

Objectionable.

Display Conditions:

Not Applicable.

Descriptive Note:

Not Applicable.

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Direction to issue a label has been given on: Not Applicable.

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#### **SUMMARY OF THE REASONS FOR DECISION:**

The computer image file *Fdsamp02.jpg* is classified as:  
Objectionable.

The computer image file contains a colour photographic image that explicitly depicts a young woman and a man engaged in sexual activity. Accompanying text identifies the act as father/daughter incest. The presentation of a purportedly incestuous act for prurient interest and sexual titillation renders the availability of the publication likely to be injurious to the public good.

The Classification Office has weighed considerations under ss3(1), 3(3)(c) and 3(3)(d) of the Films, Videos, and Publications Classification Act 1993 with the right to freedom of expression set out in s14 of the New Zealand Bill of Rights Act 1990. Given the likelihood of injury to the public good if the publication were to be made available, the decision is considered to be reasonable and justified. The consequent restriction on freedom of expression reflects the concern of a “free and democratic” society to limit the availability of publications with such content.

OFLC Ref: 9902315